

**19-6-118.5 PCB disposal fee.**

- (1)
- (a) On or after July 1, 2010, but on or before June 30, 2011, the owner or operator of a waste facility shall pay a fee of \$4.75 per ton on all wastes containing polychlorinated biphenyls (PCBs) that are:
    - (i) regulated under 15 U.S.C. Sec. 2605; and
    - (ii) received at a facility for disposal or treatment.
  - (b) On and after July 1, 2011, the department shall establish a fee for disposal or treatment of wastes containing polychlorinated biphenyls in accordance with Section 63J-1-504.
- (2) The owner or operator of a facility receiving PCBs for disposal or treatment shall:
- (a) calculate the fees imposed under Subsection (1)(a) by multiplying the total tonnage of waste received during the calendar month, computed to the first decimal place, by the required fee rate of \$4.75 per ton;
  - (b) pay the fees imposed by this section to the department by the 15th day of the month following the month in which the fees accrued; and
  - (c) with the fees required under this section, submit to the department, on a form prescribed by the department, information that verifies the amount of waste received and the fees that the owner or operator is required to pay.
- (3) The department shall deposit the fees received under this section into the Environmental Quality Restricted Account created in Section 19-1-108.
- (4) The owner or operator of a waste facility that is subject to a fee under this section is not subject to a fee for the same waste under Section 19-3-106, even if the waste contains radioactive materials.

Amended by Chapter 17, 2010 General Session